



OFFICE OF THE SHERIFF  
CITY OF ST LOUIS

MANUAL



VERNON BETTS  
SHERIFF



Exhibit 12

## SECTION 3.000

### OPERATIONS SECTION

#### 3.001 SCOPE OF AUTHORITY:

The Operations Section, by authority of the Sheriff, shall be commanded by a Major of the St. Louis City Sheriff's Office. Among his other duties the Operations Commander will have the primary authority and responsibility for the operation, assignments and supervision of personnel assigned to his Command. The Major shall only be subordinate in these authorities and responsibilities to the Sheriff, and his Chief of Staff, who shall hold the rank of Colonel.

#### 3.002 SPAN OF CONTROL:

The Operations Section shall consist of the following Units:

##### Courtroom Unit:

Courtrooms are located in the Civil Courts Building, the Municipal Courts Building and the Juvenile Court Building. Deputies assigned are responsible for the custody of defendants, safety of others, and security of their Courtroom and protection of Judges of the Twenty Second Judicial Circuit of Missouri.

##### Service Unit:

This Unit is responsible for serving and executing all Summons and Writs of the Court.

##### Office Support Unit:

The Unit is located in the Civil Courts Building. Its assigned duties are the day to day office clerical duties, and care and custody of Service Records.

##### Transportation and Jail Units:

This Unit is responsible for all prisoner movements in the City; it also has responsibility for the transportation of prisoners to and from the Penal Institutions throughout the State and Country.

Hospital Security Unit:

This Unit is responsible for the care and custody of sick and injured prisoners confined to the Hospital.

Security Unit:

The Security Unit is responsible for the security of all assigned posts and facilities designated by the Sheriff's Department.

Criminal Records Unit:

This Unit is located in Room M21 of the Carnahan Courts Building. It maintains and processes Criminal records, and is responsible for their care and custody.

Property Room:

This Unit is the custodian of all criminal evidence and personal property.

## SECTION 4.000

### APPLICATION AND SELECTION

#### 4.001 **HIRING**

A. The Appointing Authority for the Sheriff's office is the Sheriff.

B. Minimum Qualifications

1. All applicants for deputy sheriff must be twenty-one (21) years of age at the time of application.
2. All applicants must be a high school graduate or possess a certificate of equivalency.
3. An Applicant may not have been convicted of a felony or have an indictment or information pending against him/her. Nor may an applicant be prohibited from carrying a firearm pursuant to an order of protection currently in effect. Any order of protection currently in effect against an applicant must be disclosed by the applicant.
4. All applicants must be a resident of the City of St. Louis at the time of application or become a resident of the City of St. Louis within ninety days after date of hire.

C. The Sheriff's Office is an equal opportunity employer. It does not discriminate on the basis of race, color, ancestry, national origin, sex, sexual orientation or disability.

D. All employees of the Sheriff's Office are employed "at will" and can be discharged for any reason or for no reason, provided such discharge is not for an illegal reason.

E. Prior to hiring, all applicants must:

1. Complete an application for employment with the Sheriff's Office. Applications are available online and at the Sheriff's Office, Carnahan Courthouse, 1114 Market Street, Suite 112. Applications can be mailed, or delivered to, the Sheriff's Office.

2. Undergo testing, examination and/or evaluation in order to determine the applicant's qualifications for the position.
3. Undergo an oral interview with the Sheriff and/or his designee(s).
4. Undergo a background investigation, including a credit history check.
5. Undergo a physical abilities test. (NOT applicable for clerical or administrative staff and waivable at the discretion of the Sheriff)
6. Undergo a review by the Court.
7. Undergo a medical exam, including a drug screen once offered employment.

#### F. Probationary Period

All newly hired deputies must serve one year of probation within which they must successfully complete a training course prescribed by Missouri Law at a Police Academy that is POST certified, instruction by the Sheriff's Office that covers the Sheriff's Office policies and procedures, and firearms training. Deputies will remain unarmed until successful completion of the firearms training. Once his/her probationary period is successfully completed, the deputy will be fully commissioned.

G. The above qualifications may be further reviewed, revised, or waived at the discretion of the Sheriff.

### **4.002 TRANSFERS - DEPUTIES AND SERGEANTS**

A. The transfer request process provided for herein is a means for personnel to express preferences for assignments and for management to be able to take into account such preferences when appropriate. The Sheriff or his/her designee(s) retain the power and responsibility for the assignment and transfer of personnel.

B. Any deputy or sergeant with at least two years of service may request a transfer by submitting a transfer request form to the Sheriff or his/her designee.

The two years of service need not be in one unit.

C. A transfer request will remain in effect for two years unless the member submits a new request or withdraws a request. A previously submitted transfer request can be withdrawn by submitting a memorandum to the Sheriff or his/her designee requesting such withdrawal.

D. Whenever a vacancy arises or staffing needs require a change in assignments, the transfer requests currently in effect will be considered in filling such vacancy or changing such assignment.

#### **4.003 PROMOTIONS - SERGEANTS AND LIEUTENANT POSITIONS**

A. Sergeant and Lieutenant Positions will be filled from eligibility lists established for each such position. The Sheriff will make appointments to these positions from the eligibility lists.

B. Eligibility lists will be created utilizing a competitive testing process. This process will utilize a test or tests that may be written, oral, performance evaluations, the evaluation of training and experience of candidates, or any combination thereof as decided by the Sheriff.

C. Eligibility lists will remain in effect for a period of two years unless good cause exists to extend a list or to create a new list before the expiration of a current list.

D. Applicants must meet the minimum qualifications in order to participate in the promotional testing process. The minimum qualifications for the positions of Sergeant and Lieutenant are as follows:

##### **1. Sergeant**

a. Applicants must hold the position of Deputy II, Deputy I or Senior Deputy and must have completed five (5) years continuous service as a Deputy II, Deputy I and/or Senior Deputy with the St. Louis Sheriff's Office. The Sheriff may waive the minimum continuous service requirement if the applicant possesses comparable



law enforcement or military experience or educational background in law enforcement. Applicants seeking a waiver, must request such a waiver in their memorandum submitted in accordance with the procedures described below, describing the experience and/or education that they believe merits the waiver.

b. Applicants must not have any disciplinary suspensions or reductions in rank on their records within the previous five (5) years. Applicants must not have received any sick leave warning letters within the previous one (1) year. An applicant's complete disciplinary history will be considered during the testing process. Any applicant whose name has been posted to an eligibility list and subsequently receives a disciplinary suspension or a reduction in rank will be removed from the eligibility list and will be ineligible for promotion from said list.

c. Applicants must have successfully completed all scheduled in- service training.

d. Applicants must have achieved an overall rating of "Meets Standard" on any and all performance appraisals completed within the two (2) year period preceding the application deadline. Any applicant whose name is posted to an eligibility list and subsequently receives an overall rating of "Below Standards" on a performance appraisal, will be removed from the eligible list and be ineligible for promotion for one (1) year.

## 2. Lieutenant

a. Applicants must have completed two years of continuous service as a sergeant.

b. Applicants must not have any disciplinary suspensions or reductions in rank on their records within the previous five (5) years. An applicant's complete disciplinary history will be considered during the testing process. Any applicant whose name has been posted to an

eligibility list and subsequently receives a disciplinary suspension or a reduction in rank will be removed from the eligibility list and will be ineligible for promotion from said list.

c. Applicants must have successfully completed all scheduled in service training.

d. Applicants must have achieved an overall rating of “Meets Standard” on any and all performance appraisals completed within the two (2) year preceding the application deadline. Job performance history may also be considered during the testing process. Any Applicant whose name is posted to an eligibility list and subsequently receives an overall rating less than “Meets Standards” on a performance appraisal, will be removed from the eligible list and be ineligible for promotion for one (1) year.

E. Notices of promotional examinations will be distributed to all potential applicants.

F. Application Process

1. The Notice of Examination will include a deadline for applicants to apply by submitting a memorandum expressing interest in taking the examination. The deadline will be at least two weeks from the date the Notice is distributed. The deadline may be extended by the Sheriff at his/her discretion. If the deadline is extended, a Revised Notice of Examination will be distributed with the new deadline.

2. Applicants must submit a memorandum directed to the Sheriff or the designee identified in the Notice of Examination expressing interest in taking the examination. The memorandum should also explain why the applicant believes that he/she is well qualified for promotion.

3. Once the application deadline has passed, the Sheriff or his/her designee will determine whether each applicant meets the minimum qualifications.



All applicants approved to participate in the promotional examination process will be advised of the nature and time of the examination. Applicants must utilize their available leave time to participate in the examination. No compensatory time will be granted for such participation.

4. Candidates who successfully complete the examination process will be placed on the eligibility list in rank order based upon their overall exam scores. Eligibility lists will not be made available to candidates, however, each candidate will receive a letter notifying the candidate of his/her ranking on the eligibility list.

5. Vacancies will be filled from eligibility lists. Final selections will be based upon examination scores, as well as upon an interview with the Sheriff or his/her designee and the specific position to be filled. Depending upon the number of candidates on the eligibility list, only candidates whose rankings fall within a designated top percentile may be interviewed. If a candidate is within the designated top percentile to be interviewed and has been interviewed within the previous four (4) months for a vacancy, he/she may or may not be re-interviewed. All candidates who are within the designated top percentile and have not been interviewed within the previous four (4) months will be interviewed.

6. The above promotion process is subject to modification, updating or waiver at the sole discretion of the Sheriff.

## SECTION 5.000

### PERFORMANCE APPRAISALS:

#### 5.001 PURPOSE:

The performance appraisal is a tool to promote effective personnel Management in the Sheriff's Office. It is a standardized method of providing feedback regarding an employee's performance in order to improve performance. It should be utilized to facilitate discussions between employees and their supervisors about aspects of performance that can be improved and specific ways that such improvement can be measured.

#### 5.002 THE PERFORMANCE APPRAISAL PROCESS

A. When employees will be rated - All employees of the Sheriff's Office will be rated annually during the month of their anniversary hiring date.

B. Who rates an employee - Employees will be rated by their immediate supervisor. Once completed, the performance appraisal will be reviewed by the supervisor's commander. If an employee has not been under the supervision of his/her current supervisor for the entire preceding year, such supervisor is encouraged to consult with the employee's prior supervisor.

#### C. Definitions

##### 1. Appraisal Dimensions

a. Compliance with Rules and Authority: The extent to which the employee is knowledgeable and complies with rules, regulations, statutes and ordinances and the degree to which the employee accepts and follows command decisions.

b. Quality of Work: The accurateness of the work performed and the degree to which the job is performed.

c. Productivity: The ability to complete the amount of work expected for the position efficiently and in a timely fashion; the willingness and ability to take on tasks beyond the normal duties of the employee's position.

d. Interpersonal Skills: Displays courteous and helpful behavior toward the public and toward co-workers.

e. Knowledge of Position: The extent to which the Employee is knowledgeable about his/her position and assignment within the Department.

f. Work Habits: Adherence to policies regarding Attendance, punctuality, use of leave; uses time efficiently.

g. Attitude toward Work: Displays a positive and professional demeanor.

h. Appearance: Adherence to policies regarding uniform and dress; maintains a professional, well-groomed appearance.

i. Leadership: The extent to which a sergeant, lieutenant or captain accomplishes objectives and obtains results through direction and guidance of subordinates; effective delegation of responsibility; the ability to evaluate the strengths and weaknesses of subordinates, provide instruction and coaching to subordinates and recommend needed training.

j. Administrative Skills: The extent to which a Sergeant, Lieutenant or Captain plans and organizes the direction of his/her unit to accomplish objectives; makes assignments and schedules personnel; establishes priorities.

k. Overall Performance: All aspects of the employee's work performance, including all of the individual performance dimensions and any other factors that impact performance.

2. Level of Performance:

a. Exceeds Standards: Consistently surpasses Expectations; requires no correction in the particular performance dimension.

b. Meets Standards: Consistently and reliably meets Expectations; seldom requires correction or reminders regarding rules, regulations and/or proper performance.

- c. Below Standards: Fails to consistently meet Expectations; periodically or frequently requires correction or reminders regarding rules, regulations and/or proper performance.

D. Completing the Performance Appraisal

1. Rate the employee's performance over the entire rating period, i.e., the preceding year. Avoid only focusing on the most recent performance.
2. Do not consider the employee's performance that occurred prior to the rating period.
3. Review all existing documentation regarding the employee's performance (e.g., commendations; complaints; awards; attendance records).
4. The employee should be rated based upon the expectations for his/her position. Do not be influenced by the employee's length of service.
5. If the employee was supervised by another supervisor during a significant part of the rating period, consult with the other supervisor, if still employed by the Department. If another supervisor provides input, such input should be noted in the comments section of the performance appraisal.
6. Have a clear understanding of the performance dimensions and the performance levels while rating the employee.
7. Raters are strongly encouraged to explain the rating of any performance dimension that is "Below Standards" in the comment section of the performance appraisal.

E. Procedure

1. By the third day of the month, each supervising officer will receive a list of all subordinates who report directly to such supervising officer and hiring anniversary date falls during that month. Each supervising officer's commander shall receive a copy of each such list sent to all supervising officers under the commander's command.
2. The supervising officer shall complete the performance appraisal in accordance with subsection D, above, and sign it.

3. The supervising officer shall meet and discuss the performance appraisal with the employee. The employee will be given one working day after such meeting to sign the performance appraisal and return it to his/her immediate supervisor. The employee's signature indicates review of the performance appraisal, not agreement with it. The employee may include comments in the comments section of the performance appraisal or in an attachment and may indicate any disagreement in the comments.

4. After receiving the performance appraisal from the employee, the supervising officer shall present such appraisal to his/her commanding officer who shall review it, indicate whether he/she concurs, include any comments and sign the performance appraisal. If the supervising officer's commander does not concur, such commander should explain such non-concurrence in the comments section. After signing the performance appraisal, the commander shall provide the supervising officer with a copy of the completed performance appraisal to give to the employee, along with any attachments and submit the original to the Sheriff or his designee.

5. The original completed performance appraisal must be submitted to the Sheriff or his designee by the last day of the month it is due, unless extenuating circumstances exist and he/she has submitted a memorandum to the Sheriff or his/her designee explaining such circumstances and an extension has been approved.

6. The Sheriff will review all completed performance appraisals. In the event that the supervising officer has rated the employee "Below Standard" overall or in any dimension, the Sheriff, after reviewing the appraisal, the supervising officer's commander's comments and any comments of the employee, may decide to modify any "Below Standards" rating. If the performance appraisal is modified, the Sheriff will forward copies of the modified performance appraisal to the employee, the supervising officer and the supervisor's commanding officer. The Sheriff reserves the right to modify, waive or amend the above outlined appraisals.



## **SECTION 8.000**

### **INAPPROPRIATE WORKPLACE DEMEANOR**

#### **8.001 PURPOSE:**

The use of racial, ethnic, or sexist slurs, jokes, comments or cartoons are strictly prohibited. The creation of a racially, ethnic or sexually hostile environment by either a Supervisor or a Deputy is prohibited and against Department policy and regulations. Violation of this regulation, proven through investigation, can result in discipline up to and including dismissal.

#### **8.002 POLICY:**

The Sheriff's Office prohibits sexual harassment of its employees in any form. Engaging in such conduct can result in disciplinary action up to and including dismissal.

Specifically, no supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development.

Other sexually harassing conduct in the workplace, whether committed by supervisors or non-supervisory personnel, is also prohibited. This includes, but is not necessarily limited to: repeated, offensive sexual flirtations, advances, propositions, continual or repeated verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, and the display in the workplace of sexually suggestive objects or pictures.

Employees are informed that if they experience any type of harassment or discrimination they should report it to the Sheriff and the Internal Affairs Office. They also will be informed of their right to file charges directly with a federal, state or local agency.



The Sheriff's Office guidelines are as follows:

Supervisors should discuss any concerns with an employee who feels that he/she is the victim of discrimination. The Supervisor will then contact the Sheriff and the Office of Internal Affairs.

The Department will ensure that discrimination complaints are resolved.

All action taken to resolve complaints through internal reviews are conducted in the strictest confidence.

Department personnel will not make adverse comments or threats to an employee who files a complaint.

No individual shall be intimidated, threatened, coerced or discriminated against for filing a complaint, furnishing information or for participating in any manner in an investigation, compliance review, hearing or any other activity related to the administration of the laws and regulations to employ and advance employees.

#### 8.003 ALTERNATIVE COMPLAINT PROCEDURES:

Victims of what they believe is sexual harassment may elect to complain to their immediate supervisor if they feel that the problem can be abated by supervisory action. In these instances the supervisor will take immediate action to see that the harassing conduct, if any, is stopped. The supervisor will document the complaint by having an "Allegation of Employee Misconduct" report filled out by the victim and forwarded to the Sheriff for review and, as appropriate, investigation.

Complaints against supervisors will be processed in accordance with established complaint and disciplinary procedures.

## SECTION 16.000

### COMPLAINT AND DISCIPLINARY PROCEDURES:

#### 16.001 PURPOSE

The purpose of this section is to establish the fair and impartial procedure that will be used in making a decision on a complaint and the disciplinary actions that could be imposed for any complaint filed against an employee of the City of St. Louis Sheriff's Office.

#### 16.02 POLICY

1. If an employee is found to have violated the rules and regulations of the department by a supervisor and the supervisor files a complaint with the Commander of that division against a subordinate, it will be the responsibility of the unit Commander to review and determine if the complaint should be forwarded to the Internal Affairs Unit for further investigation or disciplinary procedures.
2. If the unit Commander decides that the employee did not violate the rules and regulations, the Commander will prepare a memorandum to the supervisor who had filed the complaint stating the reason why the complaint was not filed with the Internal Affairs Unit, a copy of this memorandum will be given to the employee and the complaint will be deemed closed.
3. If the complaint is forwarded to the Internal Affairs Unit the employee will be notified of such complaint in writing and will be afforded the chance to respond to the pending allegation against them in a timely manner.
4. If a formal signed complaint is received by the Internal Affairs Unit against an employee, the employee will be notified in writing of the pending allegation and will be afforded the opportunity to respond to the allegation in a timely manner.

#### 16.003 Disciplinary Actions:

1. Disciplinary actions are as follows: re-instruction, oral reprimand, written reprimand, probation, suspension or possible termination of employment. The disciplinary actions could be administered in any combination the Sheriff deems necessary.
2. If an employee is found to have violated the rules and regulations of the Sheriff's department, the Internal Affairs Unit will make a recommendation of a disciplinary action that will be submitted to the Sheriff for his review. The Sheriff may at his discretion, accept the recommendation of the Internal Affairs Unit or he may impose an alternative disciplinary action. The final decision is up the Sheriff as to what disciplinary action will be taken, if any.
3. When the recommendation for discipline is written reprimand or below the Unit Commander of the employee will impose the discipline immediately and document the facts in the employee's personnel file which will become a permanent part of the employees personnel file.  
Note: There is no appeal of a written reprimand or lower discipline.
4. When the recommendation for discipline is probation or greater which also includes termination of employment, the employee is afforded the option of accepting the discipline or appealing the recommendation to a Hearing Review Board.

#### 16.004 Accepting Discipline Process:

An employee may accept the recommendation of probation or suspension or a combination of the two. The employee will do so by signing the reprimand and submitting it to the Unit Commander, the Unit Commander will make a copy of the signed reprimand for the employee and forward the original to the Sheriff so that it can be placed in the employees personnel file. The Unit Commander will administer the disciplinary actions as they see fit so not to disrupt the operations of the department and will advise the Sheriff in a memorandum once this is complete.

#### 16.005 Appeals Process:

When notified in writing of the findings by the Internal Affairs Unit and the recommendation for the discipline, an employee that wishes to appeal a recommendation of probation or a suspension must do so in writing to the Sheriff that states they are requesting a hearing with the Disciplinary Hearing Review Board within five (5) business days from receipt of their notice.

The three members of the Disciplinary Hearing Review Board will consist of a Command staff member who will serve as the Chairman of the Board, one member of a rank above the accused and one member of the same rank as the accused employee.

Members of the Hearing Board will be appointed by the Sheriff. Volunteers will be requested. No member of the Hearing Board can serve longer than six (6) months in a calendar year. No deputies from the Internal Affairs Unit can serve on the Hearing Board since they are presenting the findings in a case to the Hearing Board.

Once the Hearing Board has been notified that an employee is requesting a hearing they will set the date for the hearing within fifteen (15) days from the date of the request.

The Hearing Board may postpone a hearing, upon written request by the accused or the Department. The written request will be filed in the case for future reference. Each side will receive only one request for continuance, the continuances shall not exceed fifteen (15) days for each side.

The proceedings for the Hearing Board will be informal, all hearings will be recorded electronically for possible transcription if it were to become necessary at a later date.

The accused employee may have legal counsel present during the hearing. The Sheriff may also have legal counsel present during the hearing. Legal counsel for either party is only there as an observer and will not be afforded the chance to

speak for any reason during the hearing. The Sheriff reserves the right to attend the Hearing, but only in the capacity as an observer.

The hearing will start with the Internal Affairs Unit presenting the facts of the case as they were presented to the Sheriff. This will include all supporting documents, evidence and witnesses, if any, to the incident. Next the accused will be afforded the opportunity to present their defense to the allegations that were presented and may call witnesses in support of their defense.

Once the hearing is concluded the Hearing Board shall meet in private and render their decision. At least two out of the three member Board must reach a decision in order for them to render a decision on whether to Sustain or Not Sustain a case. The Hearing Board shall submit a written report to the Sheriff stating their findings within five (5) business days after the hearing.

If sustained the Hearing Board may choose to uphold the recommended discipline or may choose to increase or decrease the discipline.

The accused employee will be notified in writing within seven (7) business days after the hearing was concluded of the Hearing Boards decision in the case.

The findings of the Disciplinary Hearing Review Board are final and there shall be no further appeal within the Sheriff's Office.

The Sheriff is not bound by the Hearing Boards recommendation and has the final decision in all matters of disciplinary actions.

The service record and records of former hearings will not be allowed to be reviewed by the Hearing Board unless the accused is charged with some form of a character charge or has had a previous charge of the same nature for the purpose of rendering a decision in a case. However, in assessing discipline in a Sustained case the Hearing Board may take into consideration the accused employee's service record and any other disciplinary actions from previously Sustained cases only. This will be noted in the Hearing Board's recommendation and findings report given to the Sheriff.

If the accused employee fails to appear for a scheduled hearing after being properly notified, the hearing will proceed without the accused and the Hearing Board will make their decision based on the facts presented to them at that time. No other course of appeal will remain for the accused employee.

Termination Hearings will be conducted pursuant to Chapter 57 of the Revised Statutes of the State of Missouri, sections 57.015 and 57.275.